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United States Department of Agriculture**PLANT QUARANTINE AND CONTROL ADMINISTRATION****REVISED RULES AND REGULATIONS GOVERNING THE
MOVEMENT OF PLANTS AND PLANT PRODUCTS INTO
AND OUT OF THE DISTRICT OF COLUMBIA**

[Approved April 29, 1931; effective April 30, 1931]

INTRODUCTORY NOTE

Important changes made in the following revision of the rules and regulations governing the movement of plants and plant products into and out of the District of Columbia include (a) removal of all restrictions on annual plants such as cabbage, tomato, and aster plants, except as to such regulations as may be in effect under the Japanese-beetle quarantine and other special orders, and (b) removal of the requirements of certification at the point of origin as to herbaceous perennial plants, bulbs, and roots entering the District. The latter products will be inspected upon arrival and before delivery. Herbaceous perennials and other nursery stock shipped from the District must be certified before shipment, and certification at origin continues to be required as a condition of the entry into the District of nonherbaceous types of nursery stock, including trees, shrubs, vines, cuttings, etc.

LEE A. STRONG,
Chief, Plant Quarantine and Control Administration.

REVISED REGULATIONS

I, Arthur M. Hyde, Secretary of Agriculture, have determined that, in order to control and eradicate and to prevent the dissemination of dangerous plant diseases and insect infections and infestations, in, into, and out of the District of Columbia, it is necessary to make and promulgate the following rules and regulations:

Now, therefore, under the authority conferred by the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended, I do order that no plants or plant products, or articles whose movement is restricted by Federal plant quarantines, shall be moved or allowed to be moved, shipped, transported, or carried by any means whatever into or out of the District of Columbia, except in compliance with the said rules and regulations and such other rules, regulations, and notices of quarantine as may be promulgated under the authority of the said act.

Regulation 1. Definitions

For the purpose of these regulations, the following words, names, and terms shall be construed, respectively, to mean:

(a) *Plants and plant products.*—Nursery stock, herbaceous perennial plants, bulbs, and roots, annual plants, decorative plant material, and other plants and plant products.

(b) *Nursery stock.*—Field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation, except field, vegetable, and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots. This term also includes greenhouse-grown plants having a persistent woody stem, such as palms and roses.

(c) *Herbaceous perennial plants, bulbs, and roots.*—Plants whose roots persist two or more years but lacking persistent woody stems above the ground. This term includes fibrous-rooted perennials, such as strawberry plants and phlox; bulbs, such as narcissus and crocus; corms, such as gladiolus; tubers, such as dahlia; fleshy rhizomes, such as peony, and persistent perennial greenhouse-grown plants, such as ferns, geraniums, orchids, etc.

(d) *Annual plants.*—Plants grown from seed for bloom or fruit the same season and living only one year. This term includes such plants as cabbage, tomato, and aster.

(e) *Decorative plant material.*—Cut flowers, evergreen branches or trees without roots, such as Christmas trees, and other portions of plants without roots, free from soil, and not intended for propagation.

(f) *Quarantined articles.*—Plants, plant products, and other articles whose movement is restricted by Federal plant quarantines.¹

ENTRY OF PLANTS AND PLANT PRODUCTS INTO THE DISTRICT OF COLUMBIA

Regulation 2. Restrictions on the Entry of Nursery Stock

(a) No nursery stock shall be moved or allowed to be moved, shipped, transported, or carried into the District of Columbia unless there shall be attached to the outside of the package, bundle, or other container thereof a certificate of inspection showing that the nursery or other premises from which such stock was taken were inspected within one year prior to the date of shipment, and signed by the State nursery or horticultural inspector of the State or Territory or country from which the plants or plant products were shipped. Such package, bundle, or other container shall also be plainly marked with the name and address of the consignor and the name and address of the consignee, *and with the nature of the contents.*

(b) No package, bundle, or other container of nursery stock shall be delivered to the consignee in the District of Columbia by any common carrier or other person until its delivery is authorized by an inspector of the Plant Quarantine and Control Administration.

Regulation 3. Control of Movement of Herbaceous Perennial Plants, Bulbs, and Roots

(a) No herbaceous perennial plants, bulbs,² or roots shall be moved or allowed to be moved, shipped, transported, or carried into the District of Columbia unless the package, bundle, or other container is plainly marked with the name and address of the consignor and the name and address of the consignee, *and with the nature of the contents.*

(b) No package, bundle, or other container of herbaceous plants, bulbs, or roots shall be delivered to the consignee in the District of Columbia by any common carrier or other person until its delivery is authorized by an inspector of the Plant Quarantine and Control Administration.

Regulation 4. Quarantined Articles

Articles covered by special quarantine and other restrictive orders may be admitted only on compliance with such orders. If such articles consist of nursery stock or of herbaceous perennial plants, bulbs, or roots, the said articles may be admitted only on compliance with the additional requirements prescribed in regulations 2 and 3.

Regulation 5. Unrestricted Articles

Annual plants and decorative plant material as defined in regulation 1; domestic-grown seeds of all kinds; field, vegetable, and flower seeds of foreign origin; manufactured plant products; and fruits, vegetables, cereals, and other plant products transported for food, medicinal, or manufacturing purposes, and all plant products not restricted under regulations 2, 3, and 4, may

¹ See list of domestic plant quarantines in Appendix C.

² See also narcissus-bulb quarantine (Quarantine No. 62).

be admitted into the District of Columbia without restriction, except that compliance with any special plant quarantines or other restrictive orders which may be applicable thereto, is required.

Regulation 6. Plants and Plant Products Addressed to the Department of Agriculture

All nursery stock, herbaceous perennial plants, bulbs, and roots, annual plants, decorative plant material, and other plants and plant products, whether prohibited, quarantined, restricted, or unrestricted, addressed to the United States Department of Agriculture, shall be delivered only at the inspection house of the Plant Quarantine and Control Administration (Twelfth Street and Constitution Avenue NW.).

Regulation 7. Shipments which Fail to Comply with Regulations

(a) Whenever infection or infestation of any plant pest or disease is found to exist in or on any plants or plant products transported into the District of Columbia, notice will be sent to the owner or person in possession or control thereof, if known, and after an opportunity has been given said owner or person to be heard, the infected or infested plants or plant products shall be subject to destruction, treatment, or return to the point of origin at the expense of the owner, shipper, or common carrier, unless released by an inspector of the Plant Quarantine and Control Administration.

(b) Any plant or plant product or other article transported into the District of Columbia in violation of, or without being in full compliance with, these regulations or any notice of quarantine³ or any restrictive order promulgated under the authority of the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended, or of any rule or regulation supplemental to such quarantine or order, will be subject to such seizure, destruction, treatment, or other disposition as may be authorized under the plant quarantine act.

SHIPMENT OF PLANTS AND PLANT PRODUCTS OUT OF THE DISTRICT OF COLUMBIA

Regulation 8. Shipment of Nursery Stock and of Herbaceous Perennial Plants, Bulbs, and Roots

No nursery stock or herbaceous perennial plants, bulbs, or roots shall be moved or allowed to be moved, shipped, transported, or carried from the District of Columbia to any point outside thereof, unless a certificate or permit shall have been issued therefor by the Plant Quarantine and Control Administration. Each car, box, bale, or other container so shipped or moved shall have attached to the outside thereof the inspection certificate or permit required hereby and no common carrier or other person shall accept for shipment or remove such article from the District of Columbia unless such certificate or permit is so affixed.

Regulation 9. Conditions of Certification

Certificates may be issued for the interstate movement of nursery stock and herbaceous perennial plants, bulbs, and roots from the District of Columbia when such articles have been inspected and found apparently free from dangerous plant disease infections and insect infestations and when such shipment is found to comply in full with all quarantine regulations and restrictive orders which may be applicable thereto.

Regulation 10. Place and Time of Inspection

Nursery stock and herbaceous perennial plants, bulbs, and roots which are to be shipped out of the District of Columbia must be presented at the inspection house of the Plant Quarantine and Control Administration (Twelfth Street and Constitution Avenue NW.) for inspection at the time of shipment, unless otherwise authorized by an inspector of the Plant Quarantine and Control

³ See list of domestic quarantines in Appendix B.

Administration. When large shipments are contemplated, arrangements may be made for inspection at other places by calling National 4645, branch 174, or addressing the Plant Quarantine and Control Administration.

Application for inspection of narcissus bulbs, 5-leaved pines, currant and gooseberry plants, and other articles the movement of which is restricted by quarantine regulations or other restrictive orders, shall be made at a season of the year and sufficiently in advance of the contemplated date of shipment to provide for compliance with such regulations.

Regulation 11. Quarantined Articles

Annual plants, and decorative plant material as defined in regulation 1, and other articles covered by special quarantine or other restrictive orders, may be shipped or transported from the District of Columbia only on compliance with such orders.

Regulation 12. Unrestricted Articles

Domestic-grown seeds of all kinds, field, vegetable, and flower seeds of foreign origin, manufactured plant products, and fruits, vegetables, cereals, and other plant products transported for food, medicinal, or manufacturing purposes, and all plant products not restricted under regulation 8, may be shipped or transported from the District of Columbia without restriction, except that compliance with any special plant quarantines or other restrictive orders which may be applicable thereto, is required.

These revised rules and regulations shall be effective on and after April 30, 1931, and shall supersede the rules and regulations governing the movement of plants and plant products into and out of the District of Columbia, promulgated March 29, 1929.



Done at the city of Washington this 29th day of April, 1931.

Witness my hand and the seal of the United States Department of Agriculture.

ARTHUR M. HYDE,
Secretary of Agriculture.

APPENDIX A

STATUTORY PROVISIONS

Authority for the above regulations is given in the amendment to the plant quarantine act of August 20, 1912, contained in the act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, approved May 31, 1920. This amendment was as follows:

SEC. 15. That in order further to control and eradicate and to prevent the dissemination of dangerous plant diseases and insect infections and infestations, no plant or plant products for or capable of propagation, including nursery stock, hereinafter referred to as plants and plant products, shall be moved or allowed to be moved, shipped, transported, or carried by any means whatever into or out of the District of Columbia, except in compliance with such rules and regulations as shall be prescribed by the Secretary of Agriculture as hereinafter provided. Whenever the Secretary of Agriculture, after investigation, shall determine that any plants and plant products in the District of Columbia are infested or infected with insect pests and diseases and that any place, articles, and substances used or connected therewith are so infested or infected, written notice thereof shall be given by him to the owner or person in possession or control thereof, and such owner or person shall forthwith control or eradicate and prevent the dissemination of such insect pest or disease and shall remove, cut, or destroy such infested and infected plants, plant products, and articles and substances used or connected therewith, which are hereby declared to be nuisances, within the time and in the manner required in said notice or by the rules and regulations of the Secretary of Agriculture. Whenever such owner or person can not be found, or shall fail, neglect, or refuse to comply with the foregoing provisions of this section, the Secretary of Agriculture is hereby authorized and required to control and eradicate and prevent dissemination of such insect pest or disease and to remove, cut, or destroy infested or infected plants and plant products and articles and substances used or connected therewith, and the United States shall have an action of debt against such owner or persons for expenses incurred by the Secretary of Agriculture in that behalf. Employees of the Federal Horticultural Board are hereby authorized and

required to inspect places, plants, and plant products and articles and substances used or connected therewith whenever the Secretary of Agriculture shall determine that such inspections are necessary for the purposes of this section. For the purpose of carrying out the provisions and requirements of this section and of the rules and regulations of the Secretary of Agriculture made hereunder, and the notices given pursuant thereto, employees of the Federal Horticultural Board shall have power with a warrant to enter into or upon any place and open any bundle, package, or other container of plants or plant products whenever they shall have cause to believe that infections or infestations of plant pests and diseases exist therein or thereon, and when such infections or infestations are found to exist, after notice by the Secretary of Agriculture to the owner or person in possession or control thereof and an opportunity by said owner or person to be heard, to destroy the infected or infested plants or plant products contained therein. The police court or the municipal court of the District of Columbia shall have power, upon information supported by oath or affirmation showing probable cause for believing that there exists in any place, bundle, package, or other container in the District of Columbia any plant or plant product which is infected or infested with plant pests or disease, to issue warrants for the search for and seizure of all such plants and plant products. It shall be the duty of the Secretary of Agriculture, and he is hereby required, from time to time, to make and promulgate such rules and regulations as shall be necessary to carry out the purposes of this section, and any person who shall move or allow to be moved, or shall ship, transport, or carry, by any means whatever, any plant or plant products from or into the District of Columbia, except in compliance with the rules and regulations prescribed under this section, shall be punished, as is provided in section 10 of this act.

APPENDIX B

PENALTIES

The plant quarantine act of August 20, 1912 (37 Stat. 315), provides that any person who shall move or allow to be moved, or shall ship, transport, or carry, by any means whatever, any plants or plant products from or into the District of Columbia, except in compliance with the rules and regulations prescribed under this section, shall be punished, as is provided in section 10 of this act. Section 10 states that any person who shall violate any of the provisions of this act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or in the regulations of the Secretary of Agriculture, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding \$500 or by imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court.

APPENDIX C

DOMESTIC PLANT QUARANTINES RELATING TO THE CONTINENTAL UNITED STATES

The following list includes domestic plant quarantines issued prior to March 15, 1931. Under regulation 7 as given on a preceding page "any plant or plant product or other article transported into the District of Columbia in violation of (the quarantines listed below as well as any quarantines issued subsequent to the date hereof) * * * will be subject to such seizure, destruction, treatment, or other disposition as may be authorized under the plant quarantine act." Certificates may be issued for the interstate movement from the District of Columbia of articles whose movement is restricted by such quarantines only "when such shipment is found to comply in full with all quarantine regulations and restrictive orders applicable thereto."

Date palms.—Quarantine No. 6 prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement of date palms and date-palm offshoots from Riverside County, Calif., east of the San Bernardino meridian; Imperial County, Calif.; Yuma, Maricopa, and Pinal Counties, Ariz.; and Webb County, Tex., on account of the Parlatoria scale (*Parlatoria blanchardi*) and the Phoenicococcus scale (*Phoenicococcus marlatti*).

Black-stem rust.—Quarantine No. 38, as amended, prohibits the movement interstate to any point outside of the quarantined area of the common barberry (*Berberis vulgaris*) and its horticultural varieties as well as certain other species of *Berberis* and *Mahonia*, on account of the black-stem rust of wheat, oats, barley, rye, and many wild and cultivated grasses.

European corn borer.—Quarantine No. 43, revised, prohibits, except as provided in the rules and regulations supplemental thereto, the movement interstate to any point outside of the quarantined area of (1) corn and broomcorn (including all parts of the stalk), all sorghums, Sudan grass, Lima and green

shell beans in the pod, beets with tops, rhubarb, cut flowers or entire plants of chrysanthemum and aster, and cut flowers or entire plants of gladiolus and dahlia except the bulbs and roots thereof without stems, from regulated areas in the States of Connecticut (eastern section), Maine, Massachusetts (eastern section), New Hampshire, New Jersey (eastern section), New York (southern section), and Rhode Island; and (2) corn and broomcorn (including all parts of the stalk), all sorghums, and Sudan grass from regulated areas in Connecticut (northern section), Indiana, Massachusetts (western section), Michigan, New Jersey (western section), New York (northern section), Ohio, Pennsylvania, Vermont, and West Virginia.

Gipsy moth and brown-tail moth.—Quarantine No. 45 prohibits, except as provided in the rules and regulations supplemental thereto, the movement interstate to any point outside of the infested area, or from points in the generally infested area to points in the lightly infested area, of stone or quarry products, and of the plants and plant products listed therein. The infested area covers Rhode Island and parts of the States of Connecticut, Maine, Massachusetts, New Hampshire, and Vermont.

Japanese beetle.—Quarantine No. 48, revised: (1) Prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement of farm, garden, and orchard products of all kinds, and grain and forage crops of all kinds from the generally infested areas to or through any point outside thereof, and (2) prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement of nursery, ornamental, and greenhouse stock and all other plants and sand, soil, earth, peat, compost, and manure from the generally infested areas to the lightly infested areas or from either the generally infested areas or the lightly infested areas to or through any point outside thereof. The generally infested areas include the State of New Jersey, the District of Columbia, and parts of the States of Connecticut, Delaware, Maryland, New York, Pennsylvania, and Virginia; the lightly infested areas include the State of Rhode Island and parts of the States of Connecticut, Delaware, Maryland, Massachusetts, New York, Pennsylvania, and Virginia.

Pink bollworm.—Quarantine No. 52, revised, prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from the regulated areas of Texas, Arizona, and New Mexico of (1) cotton, including all parts of the plant, seed cotton, cotton lint, linters, and all other forms of unmanufactured cotton lint, gin waste, cottonseed, cottonseed hulls, cottonseed cake, and meal; (2) bagging and other containers and wrappers of cotton and cotton products; (3) railway cars, boats, and other vehicles which have been used in conveying cotton and cotton products or which are fouled with such products; (4) hay and other farm products; and (5) farm household goods, farm equipment, and, if contaminated with cotton, any other articles.

Satin moth.—Quarantine No. 53, revised, prohibits the interstate movement to points outside of the regulated areas in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and Washington of all species or varieties of poplar and willow trees or parts thereof capable of propagation.

Thurberia weevil.—Quarantine No. 61, revised, prohibits the interstate movement of *Thurberia*, including all parts of the plant, from any point in Arizona, and prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from the regulated area of Arizona of (1) cotton, including all parts of the plant, seed cotton, cotton lint, linters, and all other forms of unmanufactured cotton lint, gin waste, cottonseed, cottonseed hulls, and cottonseed cake and meal; (2) bagging and other containers and wrappers of cotton and cotton products; (3) railway cars, boats, and other vehicles which have been used in conveying cotton and cotton products or which are fouled with such products; (4) hay and other farm products; and (5) farm, household goods, farm equipment, and if contaminated with cotton, any other articles.

Narcissus bulbs.—Quarantine No. 62 prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from every State in the continental United States and the District of Columbia of narcissus bulbs, on account of certain injurious bulb pests, including the greater bulb fly (*Merodon equestris* Fab.), the lesser bulb fly (*Eumerus strigatus* Fallen), and the bulb eelworm (*Tylenchus dipsaci* Kuehn).

White-pine blister rust.—Quarantine No. 63 prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement

from every State in the continental United States and the District of Columbia of 5-leaved pines (*Pinus*) or currant and gooseberry plants (*Ribes* and *Grossularia*, including cultivated or wild or ornamental sorts).

Mexican fruit worm.—Quarantine No. 64 prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from the regulated area of Texas of fruits of all varieties.

Woodgate rust.—Quarantine No. 65 prohibits the interstate movement from the regulated area in the State of New York of trees, branches, limbs, or twigs of Scotch pine (*Pinus sylvestris*), Canary Island pine (*P. canariensis*), slash pine (*P. caribaea*), Japanese red pine (*P. densiflora*), Corsican pine (*P. nigra poiretiana*), stone pine (*P. pinea*), western yellow pine (*P. ponderosa*), Monterey pine (*P. radiata*), loblolly pine (*P. taeda*), or Jersey pine (*P. virginiana*), or of any variety thereof, or of any species or variety of hard pine hereafter found to be susceptible to the Woodgate rust.

Phony peach disease.—Quarantine No. 67 prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from the regulated areas of Georgia and Alabama of peach trees, peach roots, nectarine trees, nectarine roots, and all kinds and varieties of trees or shrubs grafted or budded on peach or nectarine roots.



